REMARKS

Claims 39-54 have been amended to recite a tangible, computer accessible medium. No claims have been added or cancelled. Claims 1-54 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 103(a) Rejections:

The Office Action rejected claims 1-9, 11-15, 19-27, 29-33, 37-47 and 49-51 under 35 U.S.C. § 103(a) as being unpatentable over Hodes, et al. ("Composable ad hoc location-based services for heterogeneous mobile clients") (hereinafter "Hodes") in view of Hild et al. (U.S. Patent 6,532,368) (hereinafter "Hild"), claims 10, 28 and 48 as being unpatentable over Hodes in view of Hild, and in further view of Schuster et al. (U.S. Patent 6,795,429), and claims 16-18, 34-36 and 52-54 as being unpatentable over Hodes in view of Hild, and in further view of Bell (U.S. Patent 6,405,027). Applicants respectfully traverse these rejections for at least the reasons given below.

Regarding claim 1, Hodes in view of Hild fails to teach or suggest a client device <u>directly requesting to the service device</u> a document that describes an interface to access a service provided by the service device. The Examiner cites section 3.3 of Hodes. Hodes teaches a system allowing uses with mobile clients to discover, access and control devices. However, Hodes system does not involve a client *directly requesting to a service device* a document describing an interface to access a service provided by the service device. Instead, Hodes teaches the use of service interaction proxies (SIPs) that "run at domain-specific granularities and aggregate a group of services with a single set of advertisements" (Hodes, section 3.1, paragraph 2). Hence, instead of client requesting interface documents directly from service devices, Hodes teaches that SIPs aggregate service information for multiple service devices, such as all the controllable lights in a room (see, Hodes, section 2.2.1).

Hodes' service interaction proxy (SIP) device cannot be considered as the service device of Applicants' claims because Hodes' SIP is not a service device from which a document is requested that describes an interface to access a service <u>provided by **the** service device</u>. In other words, Hodes does not describe a client directly requesting a document describing an interface for accessing a service provided by a SIP. Instead, as noted above, clients in Hodes' system receive aggregated service advertisements from SIP devices that include interface descriptions for accessing and controlling services that are provided by devices <u>other than the SIP device</u> (such as controllable light switches). Thus, by requiring the use of a proxy SIP, **Hodes actually teaches away** from a client <u>directly requesting to the service</u> device a document that describes an interface to access the service <u>provided by **the** service device</u>.

Additionally, Hodes in view of Hild fails to teach or suggest the client device <u>receiving the document directly from the service device</u>, wherein the document comprises information describing how to access the service. The Examiner again relies on Hodes, citing section 3.7.2 where Hodes describes his Interface Specification Language (ISL). However, nowhere does Hodes mention that a client device receives an ISL directly from a service device. Instead, as described above, Hodes teaches the use of SIPs that aggregate and distribute service information for multiple controllable objects. Thus, a client in Hodes' system would not receive a service information document <u>directly</u> from the service device. Instead, a client in Hodes' system would request and receive an ISL from a local SIP device, which is not the device that provides the service.

Furthermore, Hodes in view of Hild fails to teach or suggest the client device forming a direct point-to-point communication link with the service device. The Examiner admits that Hodes fails to teach a method for accessing a service using a direct point-to-point link and relies upon Hild, citing column 8, lines 9-20. However, the cited portion of Hild merely describes the various types of network topologies with which Hild's system is compatible. Moreover, the cited passage describes that Hild's system is "independent of the network topology and may be used on any kind of network topology allowing broadcast" (Hild, column 8, lines 15-18). The brief mention of a point-to-point

connection as part of a possible network topology in Hild does not teach or suggest a client actually forming a direct point-to-point communication link with a service device or the client using such a direct point-to-point link for requesting and receiving a document describing an interface to access a service provided by the service device.

As for as actual device connections, Hild teaches a system in which all service devices periodically broadcast information regarding services that each particular device is aware of, regardless of whether those services are provided by the sending device or other devices of which the sending device is aware. Hild specifically teaches that each device includes services information provided by other devices as well as its own when broadcasting service announcements. Hild does not teach anything about a client requesting anything. Moreover, Hild's system includes periodic broadcasts and Hild does not describe anything about a client device directly requesting a document describing an interface to access a service. The Examiner has not cited any portion of Hild that mentions anything about a client device sending any sort of request. Instead, every device in Hild's system listens a certain amount of time and if, by that time, it has not received a service announcement that includes its own service information it will send out its own service announcement including its own service information as well as information regarding all other services it is aware of (Hild, column 4, line 56-column 5, line 12; column 8, line 65 – column 9, line 12).

Even when combined as suggested by the Examiner, Hodes in view of Hild, still fails to teach or suggest a client <u>device directly requesting to a service device a document that describes an interface to access a service</u> provided by the service device; and the client device <u>receiving the document directly from the service device</u>, wherein the document includes information describing how to access the service. Instead, as noted above, Hodes teaches that a client will access a SIP device to request an interface document describing how to access services provided by other controllable object. Also as described above, Hild teaches that device periodically broadcast their service information as well and service information regarding other services provided by other devices. Thus, even when combined as suggested by the Examiner, Hodes in view of

Hild does not teach or suggest a client <u>device directly requesting to a service device a</u> <u>document that describes an interface to access a service</u> provided by the service device; and the client device <u>receiving the document directly from the service device</u>, wherein the document includes information describing how to access the service. In fact, both references <u>teach away</u> from a client device forming a direct point-to-point communication link with a service device. As discussed above, Hodes requires the use of an SIP proxy, as opposed to a direct point-to-point communication link. And the devices in Hild listen to broadcasts communications as opposed to making request over a direct point-to-point communication link.

Furthermore, the Examiner has fails to provide a proper motivation for modifying Hodes' system to incorporate the Examiner's selected teachings from Hild. The Examiner merely states that it would have been obvious to combine "the teachings of Hode[s] regarding the discovery of interfaces for accessing a service with the teachings of Hild regarding accessing a service via a direct point-to-point link because a point-to-point link would be a common way of accessing a service interaction proxy such as the one taught by Hode[s]." However, merely because a direct point-to-point links may be "a common way of accessing" devices in some contexts, does not provide any motivation to modify the system of Hodes away from the use of SIPs providing aggregated service information to clients. Merely stating that individual aspects of a claimed invention are well known does not render the combination well known without some objective reason to combine the individual teachings. *Ex parte Levengood*, 28 USPQ2d 1300. Additionally, Hodes specifically teaches SIPs providing aggregated service information for service devices instead of service information being directly requested from the service devices themselves. Modifying Hodes so that client's directly request service information from the service devices themselves via a direct point-to-point link would clearly change the principle of operation of Hodes' system. As noted at M.P.E.P. § 2143.02, "if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." Such is the case here. The Examiner proposed changing one of the basic principles of Hodes system of

using a proxy instead of a direct point-to-point communication link to the service device. Such a modification of Hodes is clearly is improper. *See In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984).

Thus, for at least the reasons presented, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 19, 37, 38 and 39.

Regarding claim 2, Hodes in view of Hild fails to teach or suggest a client sending an advertisement request message for the service to the service device, contrary to the Examiner's assertion. The Examiner cites section 3.3 of Hodes. However, as described above regarding claim 1, Hodes system does not include a client sending an advertisement request message *to a service device*. Instead, as noted above, Hodes system includes service interaction proxies (SIPs) from which client may request and receive service information, including ISL documents, regarding services provided by controller objects, and not services provided by the SIPs themselves. Nowhere does Hodes mention anything about a client sending an advertisement request message to a service device, as suggested by the Examiner.

Hild is not relied upon by the Examiner for the rejection of claim 2, and Hild fails to overcome the above noted deficiency of Hodes. In fact, Hild teaches away from a client sending and advertisement request message to a service device. Instead, Hild teaches that every device periodically broadcasts service information both for services it provides as well as for services provided by other devices it knows about. Thus, the Examiner's proposed combination of Hodes in view of Hild clearly fails to teach or suggest a client sending an advertisement request message for the service to the service device. Also, the Examiner's proposed combination is improper since Hild teaches away from a client sending an advertisement request message.

Neither Hodes nor Hild, either singly or in any combination, teaches or suggests a client sending an advertisement request message for a service to the service device. Thus, for at least the reasons above, the rejection of claim 2 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 20 and 40.

Applicant also asserts that numerous other ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.
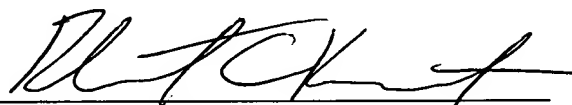
CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-72300/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,

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